

IFW

TRANSMISSION OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
020028B-P1-03-DCL

In Re Application of D. Scott Harper, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/827,501	04/19/04	Not yet assigned	29668	Not yet assigned	

**Title: Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions Containing
The Same and Methods of Using the Same**

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

- The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

- The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
 - the statement specified in 37 CFR 1.97(e);

OR

 - the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

SEP 27 2004 (Under 37 CFR 1.97(b) or 1.97(c))

Docket No.

020028B-P1-03-DCL

In Re Application: D. Scott Harper, et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/827,501	04/19/04	Not yet assigned		Not yet assigned	

Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions

The Same and Methods of Using the Same

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

A check in the amount of _____ is attached.

The Director is hereby authorized to charge and credit Deposit Account No. 23-0458 as described below.

Charge the amount of _____

Credit any overpayment.

Charge any additional fee required.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. _____)

(Date)

Signature

Typed or Printed Name of Person Signing Certificate

Certificate of Mailing by First Class Mail

I certify that this document and fee is being deposited on 9/23/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Signature of Person Mailing Correspondence

Lisa Peters

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.



Signature

Darryl C. Little

Warner-Lambert Company LLC

201 Tabor Road

Morris Plains, NJ 07950

Phone: 973-385-4401

FAX: 973-385-3117

Customer No.: 29668

cc:

Dated: 9/23/04



Docket No.: 020028B-P1-03-DCL

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: D. Scott Harper, et al.

Serial No.: 10/827,501

Group Art Unit: Not yet assigned

Filed: 04/19/04

Examiner: Not yet assigned

For: Non-Halogenated Hydroxyalkyl-Substituted Phenol Compounds, Antimicrobial Compositions
Containing The Same and Methods of Using the Same

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449 submitted in accordance with 37 C.F.R. §§ 1.98 (a) (1) and 1.98 (b). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein.

While no representation is made that any of these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R SECTION 1.8

I hereby certify that this correspondence and any documents referred to as enclosed are being deposited, pursuant to 37 C.F.R. Section 1.8, with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of September, 2004.

By: Lisa Peters
Lisa Peters

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney or agent of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 C.F.R. § 1.98 (a) (2), unless otherwise indicated herein, a copy of each of the listed references or relevant portion thereof is also enclosed.

In accordance with 37 C.F.R. § 1.98(c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56(c) of each non-English reference, if any, are also enclosed.

The following are also included, if applicable, and as required under 37 C.F.R. § 1.98:

- In accordance with 37 C.F.R. § 1.98 (a) (3), the following concise explanation of the relevance of each listed reference that is not in the English language and is not accompanied by a translation into English or discussed in the present specification, is provided.
- The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (c), they are substantially cumulative of the _____ reference:
- The following listed references are not enclosed because, under 37 C.F.R. § 1.98 (d), they were previously submitted to the Office in prior application **U.S. Patent Application No. 10/319,700 with a filing date of 12/13/02**, which is relied upon for an earlier filing date under 35 U.S.C. 120.

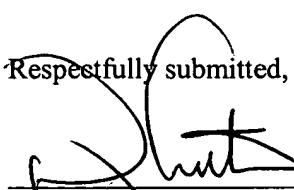
The certification specified in 37 C.F.R. § 1.97 (e), if required, is made below:

- I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (1).
- I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97 (e) (2).

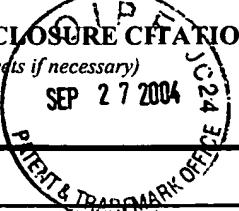
Please credit any overpayment or charge any additional fees to Deposit Account No.:
23-0458.

Date: 9/23/04

Respectfully submitted,


Darryl C. Little
Reg. No. 40703
Attorney For Applicant

Warner-Lambert Company LLC
201 Tabor Road
Morris Plains, NJ 07950
Phone: (973) 385-4401
FAX: (973) 385-3117
Customer No.: 29668

INFORMATION DISCLOSURE CITATION <i>(Use several sheets if necessary)</i> SEP 27 2004 			Docket Number (Optional) PC020028B-P1-03-DCL		Application Number 10/827,501		
			Applicant(s) D. Scott Harper, et al.				
			Filing Date 04/19/04		Group Art Unit Not yet assigned		
			U.S. PATENT DOCUMENTS				
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
FOREIGN PATENT DOCUMENTS							
	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation
							YES
OTHER DOCUMENTS <i>(Including Author, Title, Date, Pertinent Pages, Etc.)</i>							
		(XP-001145986) - Microbial and Chemical Transformation Studies of the Bioactive Marine Sesquiterpenes (S)-(+) - Curcudiol Isolated from a Deep Reef Collection of the Jamaican Sponge <i>Didiscus oxeata</i> ; El Sayed, Khalid A., J. Nat. Prod., 2002, 65, Pp. 1547-1553.					
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							